

March 21, 2006

7:30 p.m. – The Selectmen reconvened in the Bessie Buker Multi Media Room and returned to open session.

Present: Tom Tanous, Chair; Peter Hersee, Don Pickard

Also Present: Jeff Chelgren, Town Administrator; Catherine Tinsley, Secretary

Mr. Tanous opened the meeting at 7:31 p.m.

ANNOUNCEMENTS

Annual Town Meeting Warrant – Vote to Close Article Submittal on March 8th.

Mr. Pickard identified that there are currently fifteen potential warrant articles and went on to review some of those articles.

Mr. Chelgren noted that the warrant closes on March 8th at 4:30 pm for public submission of articles.

Mr. Hersee moved to close the Annual Town Meeting Warrant for public submission of warrant articles on March 8, 2006.

Mr. Pickard seconded and the motion was approved by unanimous vote.

Annual Town Elections and Appointments

Mr. Tanous announced that there are candidates for open seats on various town boards and committees, with the exception of three open seats on the Board of Assessors.

OLD BUSINESS

Authorization to Hire, Appointments to Positions, & Swearing In

Mr. Tanous said that the Selectmen are postponing their appointment of the DPW Director until March 8, 2006 to work out some details.

He noted that the Finance Director and Town Accountant appointments were made at the Selectmen's February 28, 2006 meeting.

NEW BUSINESS

American Diabetes Association – Tour de Cure

Mr. Hersee said that the American Diabetes Association is once again requesting permission to route their annual bicycle fund raising event on June 11th through Wenham and have submitted a route plan for consideration.

Police Chief Walsh was present and briefly reviewed the route and told the Selectmen that the Safety Officers are working with the organizers, noting that this event has been held without incident for many years and that the route is acceptable.

Mr. Hersee moved to approve the request of the American Diabetes Association to hold the Tour de Cure event on June 11, 2006. Mr. Pickard seconded and the motion was approved by unanimous vote.

Police Department - Restructuring of Reserve Force

Chief Walsh was present and gave a brief overview of the current structure of the Police Department.

He said that the Auxiliary Police have given thousands of hours to the town over the years but according to the law cannot be paid for their time and cannot make arrests or do lock-ups. Chief said that this presents liability issues because the officers are in uniform and carry a weapon.

The Chief went on to say that it is his recommendation that the Auxiliary Police Unit be disbanded and that the Auxiliary Officers be appointed as Basic Reserve Officers as of July 1, 2006 and that a Reserve Patrol Unit be established.

He noted that all eight Auxiliary Officers have attended the Basic Reserve Academy.

Mr. Pickard moved to accept the recommendation of Police Chief Walsh to restructure the Reserve Force as outlined in the memo dated February 22, 2006 and that the appointments take place at his direction on or before July 1, 2006.

Mr. Hersee seconded and the motion was approved by unanimous vote.

Council on Aging Van Gift Account Policy

Mr. Tanous moved to implement the COA Van Gift Account Policy as presented to the Selectmen.

Mr. Hersee seconded. The motion was approved by unanimous vote.

Mr. Tanous added that this money will be used to lower the cost of the van service to the towns.

CATV Inter-Municipal Agreement Extension

Mr. Chelgren identified that Comcast has given Hamilton and Wenham funds to establish a joint cable studio. He said that at that time, the two towns signed an agreement to use their funds together through an inter-municipal agreement extending from July 25, 2005 – December 31, 2005 to build two studios. He informed the Selectmen that the agreement needs to be extended to April 28, 2006, and that the Hamilton Selectmen have approved the extension.

Mr. Hersee moved to extend the inter-municipal agreement from March 1, 2006 until April 8, 2006.

Mr. Pickard seconded and the motion was approved by unanimous vote.

Mr. Chelgren added that the intention to implement the studios through as a non-profit association.

FY07 Budget Review

Mr. Tanous said that the Selectmen met with Larry Swartz, Chair of the Finance & Advisory Committee (FAC) before the Selectmen's meeting to review the updates to the budget and that they are in a basic agreement with the budget.

He thanked the FAC for their hard work and noted that this is the earliest the Selectmen and the FAC have agreed on a budget to go forward.

Mr. Hersee added that there have been a lot of public discussions between the BOS, FAC, and the Town Administrator to get to the balanced budget.

REPORTS

Wenham Issues

Mr. Chelgren identified that this is a new section to the Selectmen's meeting to answer questions submitted by residents.

Community Preservation Act Process Status – Application and Status of the Board

Mr. Chelgren identified that the deadline for submitting applications for the CPA funding pool was February 28, 2006 and that six applications were received. The Community Preservation Committee is reviewing the applications and hearing presentations from each applicant and will make a recommendation at Town Meeting.

Mr. Chelgren noted that the CPC is meeting March 8, 2006 at 7:30 pm and the public is encouraged to attend.

Town Benefit Package

Mr. Chelgren identified that the town is looking to make potential modifications to the current health care package; citing increasing costs that are overwhelming the budget. He went on to say that Massachusetts General Law requires that the Selectmen establish a committee to make a recommendation to the BOS for consideration. Mr. Chelgren noted that this committee has met three times to date.

Used Car Dealership License – Freeman's Garage

Mr. Tanous identified that under a court order dated February 23, 2006 the Selectmen have been ordered to grant a Class II License to Edward Freeman, Freeman's Garage without condition. He stated that this is being done under appeal to superior court.

Mr. Hersee said that when he made a motion granting this license in 2005 that two conditions were made which were not agreed to by Mr. Freeman. He identified those conditions as:

- A 21E phase-one Environmental study of the property at 34/36 Arbor Street to be done at the Freeman's expense
- Mr. Freeman was to work in cooperation with his neighbors on the condition and safety of his property

Mr. Hersee moved to issue a Class II Used Car License to Edward Freeman, Freeman's Garage effective as of January 1 through December 31, 2006 as ordered by Judge Patrick A. Riley, Justice of the Massachusetts Superior Court with indication on the license that the town is appealing this decision.
Mr. Pickard seconded and the motion was approved by unanimous vote.

Grant

Mr. Hersee announced that Wenham recently received a Municipal Waste Reduction grant of \$378 which will go towards funding public information on recycling.

Minutes

Mr. Hersee moved to approve the BOS meeting minutes of February 15, 2006 with edits as indicated. Mr. Pickard seconded and the motion was approved by unanimous vote.
Mr. Hersee moved to approve the BOS meeting minutes of February 21, 2006 with edits as indicated. Mr. Pickard seconded and the motion was approved by unanimous vote.
Mr. Hersee moved to approve the BOS executive session meeting minutes of February 21, 2006 with edits as indicated. Mr. Pickard seconded and the motion was approved by unanimous vote.
Mr. Hersee moved to approve the BOS meeting minutes of February 28, 2006 with edits as indicated. Mr. Pickard seconded and the motion was approved by unanimous vote.

8:08 p.m. - Mr. Hersee moved that the Selectmen continue their meeting in the Center School, to Wednesday, March 8th at 4 p.m. in executive session, regarding personnel matters.
Mr. Pickard seconded and the motion was approved by unanimous vote.

March 8, 2006 - Board of Selectmen Meeting – Continued from March 7, 2006 Meeting

Attending: Tom Tanous, Peter Hersee, Don Pickard, and Jeff Chelgren

The meeting was called to order at 4:00 p.m. in the second floor conference room of the Center School, School Street.

Don Pickard made a motion to go into executive session for the purpose of discussing contract negotiations and to return to regular session for the purpose of taking related votes. The motion was seconded by Peter Hersee.
The Vote (By roll call) was unanimous.

The Selectmen returned to open session by the motion of Peter Hersee that the Board move out of executive session. The motion was seconded by Don Pickard and it passed by a unanimous vote (by roll call).

Vote: Peter Hersee then made a motion to hire Mr. Bill Tyack as the new DPW Director at an annual salary of \$72,500 and that he be given a 3 year contract with a 12 month probationary period. The motion was seconded by Don Pickard and it passed by unanimous vote.

Vote: Don Pickard made a motion that Mr. Bill Tyack be formally appointed as the DPW Director for the remainder of the fiscal year. The motion was seconded by Peter Hersee and approved by unanimous vote.

Peter Hersee made a motion to close the public hearing. It was seconded by Don Pickard and approved by unanimous vote.
The meeting was closed at 4:25 p.m.